

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANK GATTO,

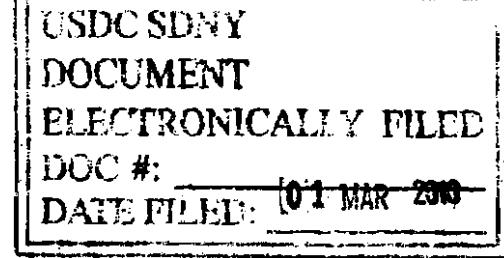
Plaintiff,

-v-

No. 09 Civ. 983 (LTS)(KNF)

JET BLUE AIRWAYS,

Defendant.



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ORDER

Plaintiff Frank Gatto (“Gatto” or “Plaintiff”), proceeding pro se, commenced this action on February 4, 2009, asserting retaliation and disparate treatment claims against his former employer, defendant Jet Blue Airways (“Jet Blue” or “Defendant”), pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e (“Title VII”); the New York State Human Rights Law, New York State Executive Law §§ 296-97 (“NYSHRL”); and the New York City Human Rights Law, New York City Administrative Code § 8-107 (“NYCHRL”). On January 13, 2010, the Court issued an order granting Defendant’s motion to dismiss Plaintiff’s complaint without prejudice and permitting Plaintiff to file and serve an amended complaint by February 19, 2010 (the “January 13 Order”). (Docket entry no. 15.)

The Court has received a submission from Plaintiff, dated February 14, 2010, which does not include an original signature by Plaintiff and was not served on Defendant (the “February 14 Submission”). The February 14 Submission fails to meet the most basic requirements of a complaint, and in particular fails to set forth the factual allegations upon which Plaintiff’s claims are based, the legal nature of Plaintiff’s claims, and the relief sought in the action. See Fed. R. Civ. P. 8.

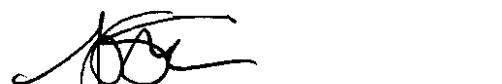
Furthermore, the inclusion of discovery requests in the February 14 Submission does not comply with the Federal Rules of Civil Procedure. Accordingly, the Court concludes that the February 14 Submission fails to satisfy the requirements of the January 13 Order and that the discovery requests included therein are not properly before the Court.

CONCLUSION

The February 14 Submission fails to satisfy the requirements of the January 13 Order and is hereby stricken. Plaintiff may file and serve an amended complaint (with a courtesy copy to Chambers) by **March 12, 2010**. If Plaintiff fails to file and serve an amended complaint within the time permitted by the Court, the action will be dismissed with prejudice, without further advance notice to Plaintiff. Plaintiff is directed to contact the Pro Se Office of the Court for procedural assistance.

SO ORDERED.

Dated: New York, New York
February 26, 2010



LAURA TAYLOR SWAIN
United States District Judge